

Abstract

The computer program has recently become a common part of everyday life of the modern society whereas the life and work are very hard to imagine without them. Computer program's right infringement, software piracy, is a very specific phenomenon, which, according to my opinion, deserves thorough processing. This thesis is trying to support specialized publications with facts especially from the area of functional aspects of warez scene and its connection with common users of pirate programs, emphasizing single pirate methods, the structure and legal analysis of important aspects of this phenomenon.

This thesis consists of nine chapters, which are further divided with respect to the single topics.

Chapter One is an introduction into the topic and adumbrates basic problems of software piracy.

Chapter Two attends to the computer program and software. The first part distinguishes the terms software and computer program, the second part displays basic sources of computer programs legal regulation, part three characterizes the computer program as a special type of author's craft, the fourth part describes contractual and non-contractual usage of computer programs, the fifth part explains the topic of digital rights management and the last, the sixth part represents analysis of legal protection of computer programs.

Chapter Three regards the term software piracy and Chapter Four represents a description of software piracy origins.

Chapter Five analysis the warez scene and its members. The first part regards suppliers, the second part crackers, the third part a title release and the fourth part the other members of this sub-culture. The fifth part is trying to state the principles typical for the warez scene. The sixth part consists of a list of several important warez groups and their brief characteristics. The seventh part is an analysis of activities of the warez scene pursuant to the Czech law. The eighth part is a summary of this whole topic.

Chapter Six brings analysis of the Internet as a software piracy tool and a description of commercial software piracy.

Chapter Seven regards links between the warez scene and common users. The first part attends to the IRC technology, the second part to the FTP protocol, the third part to peer-to-peer networks and the fourth part to linking. The fifth part is trying to analyze activities of these subject in relation to the responsibility for data content.

Chapter Eight is dedicated to the common user of the pirate software and to the context of his activities pursuant to the Czech law. The first part regards downloading, the second part usage and the third part sharing.

Chapter Nine contains final conclusion, a summary of the whole world of software piracy including reflections of future.

This thesis is trying to display the substantial aspects and parts of software piracy and to analyze this phenomenon pursuant to the provisions of copyright, civil and partly also criminal law including persons neither producing nor using pirate software, only allowing transfer of data between the warez scene and the common users.